

## **NORFOLK, VIRGINIA**

### **ACTION OF THE COUNCIL**

**TUESDAY, JANUARY 13, 2015 – 7:00 P.M.**

Prayer offered by Councilman Paul Riddick, followed by the Pledge of Allegiance.

The following members were present: Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Mr. Winn, Ms. Williams and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

**Motion adopted.**

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

### **PUBLIC HEARINGS**

PH-1

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on a Lease Agreement with Ocean View Little League for the use of certain property known as **“Ocean View Little League Ball Field”**.

Thereupon, an Ordinance entitled, “An Ordinance approving a Lease Agreement with Ocean View Little League for the use of certain property known as ‘Ocean View Little League Ball Fields,’” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective February 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PH-2

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on hear comments on a Land Disposition and Development Contract between the City of Norfolk and St. Paul's Apartments, L.P., for real property consisting of 4.54 acres more or less, and located at **St. Paul's Boulevard and Wood Street**.

**ACTION:** This matter was continued generally.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PH-3

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the terms and conditions of a Lease with 757 Angels, Inc., for certain premises located at **240 East Main Street**.

Paul Hirschbiel, 1800 Eden Way, Virginia Beach, was present to answer questions.

Thereupon, an Ordinance entitled, "An Ordinance approving the terms and conditions of a Lease with 757 Angels, Inc., for certain premises located at **240 East Main Street**, Norfolk, Virginia and authorizing the execution of the Lease," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective February 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

## **REGULAR AGENDA**

R-1

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a Right of Entry Agreement with 757 Angels, Inc., for property at **240 East Main Street, Norfolk**" was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment known as **‘Jose Tequila’s Mexican Grill’** on property located at **1108 East Little Creek Road,**” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of an Automobile Sales and Service establishment known as **‘Royal Auto Sales’** on property located at **6210 East Virginia Beach Boulevard,**” was introduced in writing and read by its title.

John Harris, applicant, 3840 Bay Oaks Place and John Harris, Sr., 9618 Pay Point Drive, spoke in favor of this matter.

**ACTION:** This matter was continued to January 27, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as **‘The Barrel Room’** on property located at **437 Granby Street,**” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-5

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a Kennel (with outdoor area) on property located at **3700 Hampton Boulevard**,” was introduced in writing and read by its title.

Mary Ann Jacobson, applicant, 3700 Hampton Boulevard, was present to answer questions.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-6

Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** to permit a convenience store, 24-hours (with fuel sales) known as **‘7-Eleven’** on property located at **800 East Brambleton Avenue**,” was introduced in writing and read by its title.

Steve Romine, 999 Waterside Drive, was present to answer questions.

**ACTION:** This matter was continued to January 27, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-6A

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as **‘7-Eleven’** on property located at **800 East Brambleton Avenue**,” was introduced in writing and read by its title.

**ACTION:** This matter was continued to January 27, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-7

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting a Grant Award of up to \$2,500 from the **Walmart Foundation Community Grant Program** and appropriating and authorizing the expenditure of the grant funds to support the Norfolk Police Athletic League’s Youth Programs,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-8

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting the donation of a 2015 Ford Explorer valued at \$28,146.68 and reimbursement of the cost of the installation of emergency equipment on the vehicle in an amount not to exceed \$5,000.00 from the **United States Marshals Service** to the City to support the Police Department and authorizing the use of the vehicle for City purposes,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-9

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing and approving the conveyance of certain property known as **Ocean View Golf Course** to the City of Norfolk by Norfolk Redevelopment and Housing Authority,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-10

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving the conveyance to the City of Norfolk by Norfolk Redevelopment and Housing Authority a certain parcel of property that is part of the **Downtown West Project**, and authorizing the City Manager to accept the Deed on behalf of the City,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-11

Letter from the City Manager and an Ordinance entitled, “An Ordinance releasing the City of Norfolk’s right of reverter as to that certain parcel of property located at **722 Maltby Avenue**,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-12

Letter from the City Manager and an Ordinance entitled, “An Ordinance releasing the City of Norfolk’s right of reverter as to that certain parcel of property located at **732 Reservoir Avenue**,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-13

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Crossglobe Transport, Ltd.** in the amount of **\$3,956.30, plus interest**, based upon the overpayment of business license taxes for the year 2014,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-14

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Turner Strategic Technologies, LLC** in the amount of **\$7,639.47, plus interest**, based upon the overpayment of its business license tax for the tax years 2012 through 2014,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-15

A Resolution entitled, “A Resolution appointing Andrew A. Protogyrou, as an alternate, to the Hampton Roads Transportation Planning Organization for a certain term,” was introduced in writing and read by its title.

**ACTION:** The Resolution as introduced was **adopted**, effective January 13, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

### **NEW BUSINESS**

1. Rayton White, 735 Wally Drive, spoke about tickets being received by the neighborhood on street cleaning days.
2. Woodrow W. Moore, Jr., 2787 Tait Terrace, spoke regarding parking his dump truck on his property.
3. Mike McKenna, 3424 Douglas Road, Chesapeake, thanked council for the appointment to the Employee Retirement Board.
4. Amanda Hyre, 5665 River Mill Circle, Portsmouth, commented on the yard sale permit laws regarding churches.
5. Rick James, 460 Peace Haven Drive, commented on the school board and that the NAACP supported the hybrid system.
6. Rodeny Jordan, 2506 Myrtle Avenue, commented on fair housing and the school board.
7. Adriane Tomovic, 7306 Barberry Lane, commented on the school board as a current student of the Norfolk Public Schools.
8. Danny Lee Ginn, 3845 Dare Circle, commented on good government.